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DOCKET NO. 1454.1646

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Toby PROCTOR et al.

Serial No: 10/557,247

Group Art Unit: 2661

Confirmation No. 7014

Filed: September 18, 2006

Examiner:

For: METHOD OF OPERATING A MBMS (MULTIMEDIA BROADCAST MULTICAST SERVICE) FOR A MOBILE STATION ACCORDING TO THE POSITION OR SIGNAL QUALITY

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the second inventor's residence on the Official Filing Receipt be corrected to specify **Wien, Austria**, as is evidenced by the Declaration, attached to the application as filed. For the convenience of the Patent and Trademark Office, attached is a photocopy of the original receipt on which the errors have been noted in red.

It is requested that a corrected Official Filing Receipt be issued in this application.

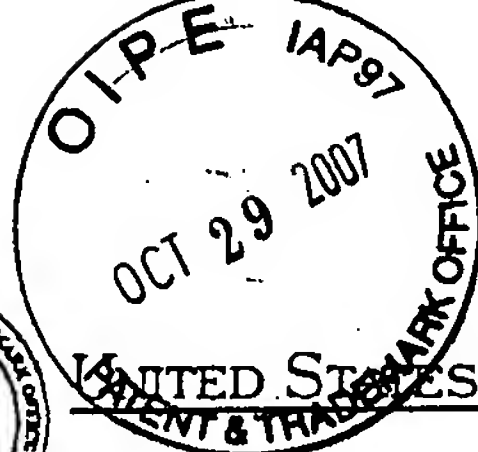
Respectfully submitted,

STAAS & HALSEY LLP

Date: 10/29/07

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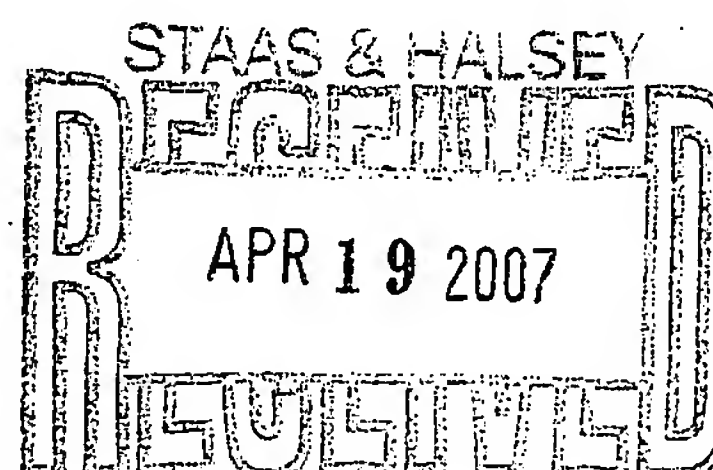
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/557,247	09/18/2006	2661	1030	1454.1646	13	1

CONFIRMATION NO. 7014

21171  
 STAAS & HALSEY LLP  
 SUITE 700  
 1201 NEW YORK AVENUE, N.W.  
 WASHINGTON, DC 20005



## FILING RECEIPT



OC000000023325362\*

Date Mailed: 04/12/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Toby K. Proctor, Salisbury, UNITED KINGDOM;  
 Mohammad Ali Memar, [Osterreich, AUSTRIA]  
 Thomas Ulrich, Bad Durkheim, GERMANY;  
 Alexander Vesely, Wien, AUSTRIA;

-- Wien, Austria --

**Power of Attorney:** The patent practitioners associated with Customer Number 21171.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/GB04/01876 04/30/2004

## Foreign Applications

UNITED KINGDOM 0311277.8 05/16/2003  
 UNITED KINGDOM 0326802.6 11/18/2003

**If Required, Foreign Filing License Granted:** 04/10/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/557,247**

**Projected Publication Date:** 07/19/2007

**Non-Publication Request:** No

Early Publication Request: No

**Title**

Method of operating a mbms (multimedia broadcast multicast service) for a mobile station according to the position or signal quality

**Preliminary Class**

370

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

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# Declaration and Power of Attorney for Patent Application

## Erklärung für Patentanmeldungen mit Vollmacht

### German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an Eides Statt:

daß mein Wohnsitz, meine Postanschrift und meine Staatsangehörigkeit den im nachstehenden nach meinem Namen aufgeführten Angaben entsprechen, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent für die Erfindung mit folgendem Titel beantragt wird:

\_\_\_\_\_

\_\_\_\_\_

deren Beschreibung hier beigelegt ist, es sei denn (in diesem Falle Zutreffendes bitte ankreuzen), diese Erfindung

- ☐ wurde angemeldet am \_\_\_\_\_ unter der US-Anmeldenummer oder unter der Internationalen Anmeldenummer im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) \_\_\_\_\_ und am \_\_\_\_\_ abgeändert (falls zutreffend).

Ich bestätige hiermit, daß ich den Inhalt der oben angegebenen Patentanmeldung, einschließlich der Ansprüche, die eventuell durch einen oben erwähnten Zusatzantrag abgeändert wurde, durchgesehen und verstanden habe.

Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Titel 37, Code of Federal Regulations, § 1.56 von Belang sind.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD OF OPERATING A MBMS  
(MULTIMEDIA BROADCAST MULTICAST  
SERVICE) FOR A MOBILE STATION  
ACCORDING TO THE POSITION OR  
SIGNAL QUALITY

the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on 16 November 2005 as United States Application Number or PCT International Application Number 10/557,247 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.



## German Language Declaration

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß Title 35, US-Code, § 119 (a)-(d), bzw. § 365(b) aller unten aufgeführten Auslandsanmeldungen für Patente oder Erfinderurkunden, oder § 365(a) aller PCT internationalen Anmeldungen, welche wenigstens ein Land ausser den Vereinigten Staaten von Amerika benennen, und habe nachstehend durch ankreuzen sämtliche Auslandsanmeldungen für Patente bzw. Erfinderurkunden oder PCT internationale Anmeldungen angegeben, deren Anmeldetag dem der Anmeldung, für welche Priorität beansprucht wird, vorangeht.

Prior Foreign Applications  
(Frühere ausländische Anmeldungen)

0311277.8	Great Britain
(Number) (Nummer)	(Country) (Land)

0326802.6	Great Britain
(Number) (Nummer)	(Country) (Land)

Ich beanspruche hiermit Prioritätsvorteile unter Title 35, US-Code, § 119(e) aller US-Hilfsanmeldungen wie unten aufgezählt.

(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)
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(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)
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Ich beanspruche hiermit die mir unter Title 35, US-Code, § 120 zustehenden Vorteile aller unten aufgeführten US-Patentanmeldungen bzw. § 365(c) aller PCT internationalen Anmeldungen, welche die Vereinigten Staaten von Amerika benennen, und erkenne, insofern der Gegenstand eines jeden früheren Anspruchs dieser Patentanmeldung nicht in einer US-Patentanmeldung, bzw. PCT internationalen Anmeldung in in einer gemäß dem ersten Absatz von Title 35, US-Code, § 112 vorgeschriebenen Art und Weise offenbart wurde, meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Title 37, Code of Federal Regulations, § 1.56 von Belang sind und die im Zeitraum zwischen dem Anmeldetag der früheren Patentanmeldung und dem nationalen oder im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesen (PCT) gültigen internationalen Anmeldetags bekannt geworden sind.

(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)
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(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)
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Priority Not Claimed  
Priorität nicht beansprucht

16/05/2003	<input type="checkbox"/>
(Day/Month/Year Filed) (Tag/Monat/Jahr der Anmeldung)	

18/11/2003	<input type="checkbox"/>
(Day/Month/Year Filed) (Tag/Monat/Jahr der Anmeldung)	

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Status) (patented, pending, abandoned)
(Status) (patentiert, schwebend, aufgegeben)

(Status) (patented, pending, abandoned)
(Status) (patentiert, schwebend, aufgegeben)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**German Language Declaration**

**VERTRETUNGSVOLMACHT:** Als benannter Erfinder beauftrage ich hiermit den (die) nachstehend aufgeführten Patentanwalt (Patentanwälte) und/oder Vertreter mit der Verfolgung der vorliegenden Patentanmeldung sowie mit der Abwicklung aller damit verbundenen Angelegenheiten vor dem US-Patent- und Markenamt. (Name(n) und Registrationsnummer(n) auflisten)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)

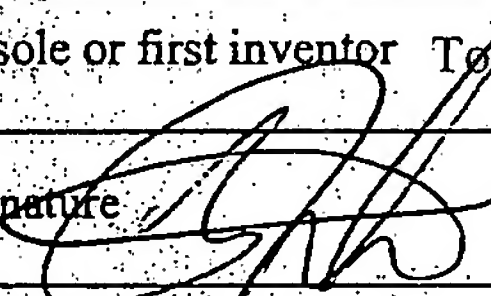
Postanschrift:

Send Correspondence to:

STAAS &amp; HALSEY LLP




21171

Vor- und Zuname des einzigen oder ersten Erfinders Toby K. Proctor <input checked="" type="checkbox"/>	Full name of sole or first inventor Toby K. Proctor
Unterschrift des Erfinders _____ Datum _____	Inventor's signature  Date 17/01/06
Wohnsitz Salisbury, Great Britain	Residence Salisbury, Great Britain
Staatsangehörigkeit GB	Citizenship GB
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UNITED KINGDOM	UNITED KINGDOM
Vor- und Zuname des zweiten Miterfinders (Mohammad Ali Memar)	Full name of second joint inventor, if any Mohammad Ali Memar
Unterschrift des zweiten Erfinders _____ Datum _____	Second Inventor's signature _____ Date _____
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Staatsangehörigkeit AT	Citizenship AT
Postanschrift Gallmeyergasse 18/4/42, A-1190, Wien	Post Office Address Gallmeyergasse 18/4/42, A-1190 <del>Wien</del>
ÖSTERREICH	AUSTRIA

(Im Falle dritter und weiterer Miterfinder sind die entsprechenden Informationen und Unterschriften hinzuzufügen.)

(Supply similar information and signature for third and subsequent joint inventors.)

Full name of third joint inventor (if any) /Vor- und Zuname des dritten Miterfinders (falls zutreffend)	
Thomas Ulrich	
Third inventor's signature/Unterschrift des dritten Erfinders	Date/Datum
	8. Feb 2006
Residence/Wohnsitz	
Bad Durkheim, Germany	
Citizenship/Staatsangehörigkeit	
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Alexander Vesely	
Fourth inventor's signature/Unterschrift des vierten Erfinders	Date/Datum
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Fifth inventor's signature/Unterschrift des fünften Erfinders	
Date/Datum	
Residence/Wohnsitz	
Citizenship/Staatsangehörigkeit	
Post Office Address/Postanschrift	
Full name of sixth joint inventor (if any) /Vor- und Zuname des sechsten Miterfinders (falls zutreffend)	
Sixth inventor's signature/Unterschrift des sechsten Erfinders	
Date/Datum	
Residence/Wohnsitz	
Citizenship/Staatsangehörigkeit	
Post Office Address/Postanschrift	

Supply similar information and signature for seventh and subsequent joint inventors.

Im Falle siebter und weiterer Miterfinder sind die entsprechenden Informationen und Unterschriften hinzuzufügen.